

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

MARVELLOUS KEENE,	: <i>DEATH PENALTY CASE</i>
Petitioner,	: Case No. C-1-00-421
vs.	: JUDGE BECKWITH
BETTY MITCHELL, WARDEN,	: MAGISTRATE JUDGE MERZ
Respondent.	: <i>No Execution Date Scheduled</i>

**PETITIONER'S SECOND MOTION FOR EXTENSION OF TIME TO FILE  
OBJECTIONS TO REPORT AND RECOMMENDATION**

Pursuant to the Court's Order of March 22, 2005 requiring compliance with Local Rule 7.3, Petitioner Marvellous Keene respectfully resubmits his request for an extension of twenty (20) days, or until April 4, 2005, in which to file his objections to the Court's Supplemental Report and Recommendation of February 24, 2005. Respondent has consented to the extension.

**MEMORANDUM IN SUPPORT OF MOTION**

The objections deadline in this matter is currently set for March 15, 2005. Petitioner respectfully requests a brief extension of time within which to submit objections. On February 24, 2005, this Court issued a Supplemental Report and Recommendations (Doc. 104). An extension of time is necessary for Petitioner to fully address and adequately preserve all issues. Undersigned counsel are scheduled for depositions, trial preparation, and other pressing matters over the next few weeks, and lead counsel is scheduled to be out of town on a long-planned family vacation from March 10 to March 21, 2005. Thus, counsel requests a brief extension of time until April 4, 2005 within which to file objections.

Petitioner's counsel respectfully request that this Court grant a reasonable extension of twenty days, until April 4, 2005 to file objections.

Respectfully submitted,

/s/ Rayl L. Stepter

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon:

Charles L. Wille  
Senior Assistant Attorney General  
Capital Crimes Section  
30 East Broad Street, 23rd Floor  
Columbus, Ohio 43215  
Lead Counsel for Respondent

by ECF this 14th day of March 2005.

/s/ Rayl L. Stepter

Rayl L. Stepter

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